

PTO/SB/01 (08-03)

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number	10447-1
First Named Inventor	Stuart D. Shanler
COMPLETE IF KNOWN	
Application Number	10/763,807
Filing Date	01/22/2004
Art Unit	1617
Examiner Name	NYA

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Method and Therapeutic/Cosmetic Topical Compositions for the Treatment of Rosacea and Skin Erythema Using a 1-adrenoceptor Agonists***(Title of the Invention)*

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

01/22/2004

as United States Application Number or PCT International

Application Number 10/763,807 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

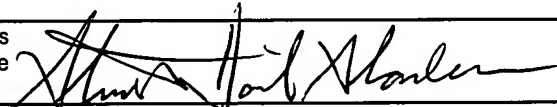
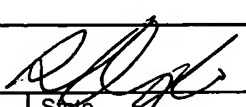
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input type="checkbox"/> Customer Number: <input style="width: 100px;" type="text"/>				<b>OR</b>		<input checked="" type="checkbox"/> Correspondence address below	
<b>Name</b> Scott J. Fields, Esquire							
<b>Address</b> National IP Rights Center, LLC 550 Township Line Road, Suite 400							
<b>City</b> Blue Bell				<b>State</b> PA		<b>ZIP</b> 19422	
<b>Country</b> U.S.			<b>Telephone</b> 610-680-2301		<b>Fax</b> 610-680-2319		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
<b>NAME OF SOLE OR FIRST INVENTOR:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
<b>Given Name (first and middle [if any])</b> Stuart D.				<b>Family Name or Surname</b> Shanler			
<b>Inventor's Signature</b> 						<b>Date</b> 5/11/04	
<b>Residence: City</b> New York		<b>State</b> NY		<b>Country</b> U.S.		<b>Citizenship</b> U.S.	
<b>Mailing Address</b> 431 E. 20th Street, #2D							
<b>City</b> New York		<b>State</b> NY		<b>ZIP</b> 10010		<b>Country</b> U.S.	
<b>NAME OF SECOND INVENTOR:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
<b>Given Name (first and middle [if any])</b> Andrew				<b>Family Name or Surname</b> Ondo			
<b>Inventor's Signature</b> 						<b>Date</b> 6-5-2004	
<b>Residence: City</b> Las Cruces		<b>State</b> NM		<b>Country</b> U.S.		<b>Citizenship</b> U.S.	
<b>Mailing Address</b> 4580 Cripple Creek							
<b>City</b> Las Cruces		<b>State</b> NM		<b>ZIP</b> 88011		<b>Country</b> U.S.	
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.							



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Utility Patent Application of

Stuart Shanler  
Andrew Onda

Application  
No: 10/763,807

Filing Date: January 22, 2004


For: METHOD AND THERAPEUTIC/COSMETIC TOPICAL COMPOSITIONS  
FOR THE TREATMENT OF ROSACEA AND SKIN ERYTHEMA USING  
 $\alpha$ -ADRENOCEPTOR AGONISTS

Mailing Date of  
Notification to File  
Missing Parts of  
Application: April 28, 2004

**SMALL ENTITY STATUS STATEMENT**

Inventors, Stuart Shanler and Andrew Ondo, claim small entity status.

Respectfully submitted,

  
SCOTT J. FIELDS  
Registration No. 32,857

Date: 6/9/04

NATIONAL IP RIGHTS CENTER, LLC  
550 Township Line Road, Suite 400  
Blue Bell, PA 19422  
(610) 680-2301